

FEB 13 2007

NEBRASKA DEPARTMENT  
OF INSURANCE

Feb 14, 2007 ACCT# 8521 \$1,000.00  
 NO-INVOICE 61816 TRAM# 1703108  
 HEALTHPLAN SERVICES, INC.  
 CHECK# 54366

1. The Department initiated this administrative proceeding by filing a petition styled State of Nebraska Department of Insurance vs. HealthPlan Services, Inc., Cause Number C-1621 on January 22, 2007. A copy of the petition was served upon the Respondent's registered mailing

address, P.O. Box 30098, Tampa, Florida 33630-3098, for service of process by certified mail, return receipt requested.

2. Respondent allegedly violated 210 NEB. ADMIN. R. & REGS. 61-008.02 (1994) and 210 NEB. ADMIN. R. & REGS. 61-008.03 (1994) as a result of the following conduct:

- a. On or around October 31, 2006, a complaint was filed by Melissa Larson ("Complainant") with the Nebraska Department of Insurance Consumer Affairs Division, regarding the failure of the Respondent to timely affirm liability of a March 28, 2006 medical claim.
- b. Regarding said complaint, Respondent, on or around November 22, 2006, sent a written response to Petitioner in which Respondent indicated that with respect to the aforementioned claim, "...our office began a pre-existing investigation." Respondent specifically states that "[i]n the process of our investigation we pended claims until we could determine if the Insured was receiving services for a pre-existing condition."
- c. On or around December 22, 2006, Respondent, in a written letter to Barbara L. Ems, Insurance Investigator for Petitioner, notified Petitioner to "[p]lease be advised that the pre-existing investigation was started on 04/28/06 in error. When the Certificate of Credible Coverage was received in our office on 02/21/06, the system should have been updated at that time to reflect the pre-existing clause was waived. Once the error was identified, due to your complaint, the claims were immediately released for processing."

3. Respondent was informed of its right to a public hearing. Respondent waives that right, and enters into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving the right to a public hearing, Respondent also waives the right to confrontation of witnesses, production of evidence, and judicial review.

4. Respondent admits the allegations stated in Paragraph 2.

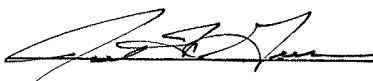
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#### CONCLUSIONS OF LAW

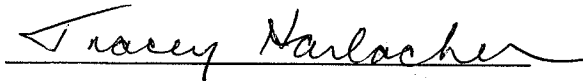
Respondent's conduct as alleged above constitutes a violation of 210 NEB. ADMIN. R. & REGS. 61-008.02 (1994) and 210 NEB. ADMIN. R. & REGS. 61-008.03 (1994) and is subject to disciplinary action pursuant to NEB. REV. STAT. § 44-1542 (Reissue 2004).

CONSENT ORDER

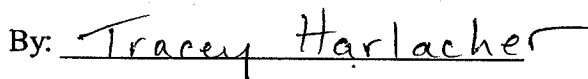
It is therefore ordered by the Director of Insurance and agreed by Respondent, HealthPlan Services, Inc., that Respondent shall pay an administrative fine in the amount of one thousand dollars (\$1,000.00), due within 30 days after the Director of Insurance or his designee approves and signs this consent order. If Respondent fails to pay the amount required as specified under this consent order, additional administrative action shall be taken by the Petitioner, which may include revocation of Respondent's Nebraska certificate of authority. In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing his/her signature below.



Joel F. Green, #22900  
Attorney for Petitioner  
941 "O" Street, Suite 400  
Lincoln, NE 68508  
(402) 471-2201



HealthPlan Services, Inc.,  
Respondent

By: 

2/12/2007  
Date

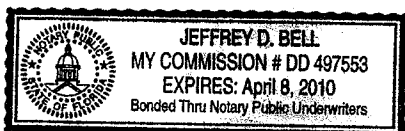
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Date

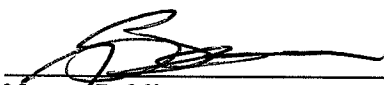
State of Florida

County of Hillsborough

)  
) ss.  
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On this 7<sup>th</sup> day of February, 2007, an authorized representative of HealthPlan Services, Inc. personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be his/her voluntary act and deed.



  
Notary Public

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs. HealthPlan Services, Inc., Cause No. C-1621.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE



L. TIM WAGNER  
Director of Insurance

2/13/07  
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was sent to the Respondent's registered mailing address, P.O. Box 30098, Tampa, Florida 33630-3098, by certified mail, return receipt requested on this 16<sup>th</sup> day of February, 2007.

